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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,391	02/11/2004	Mitchell A. Altman	BIGTOE.003A	3924
20995	7590	03/03/2006		EXAMINER HOLLOWAY III, EDWIN C
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			ART UNIT 2635	PAPER NUMBER

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKETT NO.
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10/774,391

EXAMINER
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ART UNIT	PAPER NUMBER
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20060227

DATE MAILED:

**EXAMINER INTERVIEW SUMMARY RECORD**

All participants (applicant, applicant's representative, PTO personnel):

(1) Mitchell A. Altman (3) Edwin C. Holloway  
(2) Daniel E. Altman (4) Neil Bartfeld

Date of interview 2-27-06

Type:  Telephonic  Personal (copy is given to  applicant  applicant's representative).

Exhibit shown or demonstration conducted:  Yes  No. If yes, brief description: the Inventor displayed

TV-B-Gone device.

Agreement  was reached with respect to some or all of the claims in question.  was not reached.

Claims discussed: 1, 17, 35

Identification of prior art discussed: Enomoto, Redford

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed items on applicant's "list of topics" received by fax 2-10-06 and attached to this form, along with proposed claim 35. Applicant argued Enomoto knows codes in advance. Examiner noted that is in claim 35, not claim 1. Proposed amends/evidence would require further consideration after final. Appl. rep. stated that an RCE would be filed.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

  
EDWIN C. HOLLOWAY III  
PRIMARY EXAMINER

Proposed Claim for Interview Summary

Paper No.

DO NOT ENTER

20060227

35. (New) A method for minimizing disturbance from a remotely controlled television in a public place, comprising:

encountering the television in the public place;

pointing a universal remote device in the direction of the remotely controlled television, said universal remote device comprising a database of encoded signals for effecting a function selected from the group consisting of power on/off and mute on at least twenty different remotely controlled televisions, each of said at least twenty different remotely controlled televisions requiring a different signal to effect said function, wherein the signal for effecting the function on said television in the public place is not known prior to encountering it;

actuating an actuator on the universal remote device, thereby causing the device to send the encoded signals for the at least twenty different remote controlled televisions from the database to a signal emitter on the universal remote device;

emitting the encoded signals from the signal emitter so as to effect the function on said television in the public place, thereby minimizing disturbance from the television in the public place.

## **Knobbe Martens Olson & Bear LLP**

## **Intellectual Property Law**

## Proposal For Interview Summary

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Paper No 20020227

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To: Examiner HOLLOWAY III, EDWIN C  
Firm: UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit: 2635  
Appl. No: 10/776,391  
Filing Date: February 11, 2004  
Facsimile No.: (571) 273-3058  
From: Daniel E. Altman  
Client Code.: BIGTOE.003A  
Date: February 10, 2006  
NO. OF PAGES: 19 (incl. cover sheet)

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**MESSAGE:** Thank you for tentatively agreeing to conduct an interview in the subject patent application on Monday, February 27 at 11:00 am. You asked that we provide you with a list of topics to be discussed at the interview in advance. These topics include:

- A) Overview of differences between invention and prior art.
- B) The criticality of various limitations, including the timing between signals. Support for proposed limitations.
- C) Legal support that criticality does not need to be disclosed in the specification.
- D) How best to present evidence of secondary considerations, such as commercial success (including nexus to the invention) and recognition by others.

I look forward to meeting with you in a couple of weeks. I will be accompanied by my colleague Neil S. Bartfeld, Ph.D., and the inventor, Mitchell A. Altman.

Best regards,

Dan Altman

Daniel E. Altman

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